

## Alabama Energy and Residential Codes Board

July 7, 2015

### Alabama Board of Heating, Air Conditioning, and Refrigeration Contractors Office

#### Board Members and ADECA Staff in Attendance:

- Terri Adams – ADECA Energy Division/Ex Officio Secretary of the Board
- Mary Blackmon – ADECA Energy Division
- **Representative Alan Boothe – House Member, Permanent Joint Legislative Committee on Energy Policy**
- **Alan Boswell, Vice-Chairman - International Code Council**
- **Sam Davis - Heating & A/C Board**
- **Greg Gilchrist – Alabama Joint Fire Council**
- Heather Goggin - ADECA Energy Division/Administrator, AERC Board
- Kathy Hornsby – ADECA Energy Division
- **Mark Nelson - LP Gas Board**
- **Jack Reid - Home Builder's Licensure Board**
- **Shon Richey, Chairman – Private, Investor Owned Electric Utility Industry**
- **Steve Roberson - Natural Gas Industry**
- **Joseph Rogers - Board of General Contractors**
- **Jimmy Rutland - Home Builder's Association**
- **Linda Snapp - American Institute of Architects**
- Ashley Toole – ADECA Legal Division

#### Board Members Not in Attendance:

- Beth Chancey - Property and Casualty Insurance Industry
- Cory Ellis - Rural Electric Cooperatives
- Matthew Danner - County Commissions
- Sen. Cam Ward - Senate Member of the PJLCOE
- Randall Whorton - Licensed Professional Engineers

#### Also in Attendance:

- Paul Antoine – Code Officials Association of Alabama
- Eric Lacey – Responsible Energy Codes Alliance
- Bourke Reeve – Southface
- Jason Reid – Home Builders Association of Alabama
- Sonny Richardson – Home Builders Association of Alabama
- Mark Roberts – International Codes Council
- Bret Warren – Home Builders Association of Alabama

Chairman Shon Richey called the board meeting to order at 1:14 pm. Chairman Richey stated that the meeting was an open meeting, but not a public meeting, and that public comment would be limited to those called on or on the agenda. He then moved on to the approval of the

minutes from the April meeting. Representative Alan Boothe moved to adopt the minutes as written, and Greg Gilchrist seconded the motion. The Board approved the motion unanimously.

Chairman Richey moved to New Business, starting with the consideration of the 2015 International Residential Code. Chairman Richey stated that the Building Subcommittee met that morning and voted to recommend the proposed code and amendments to be published for public comment, and called on Bret Warren with the Home Builders Association of Alabama to provide an explanation of the proposed amendments. Mr. Warren provided an updated printout of proposed amendments to Board members, and then listed the code topics with proposed amendments: reinstating a two hour firewall, a language update on self-closing devices, window fall protection, opening control devices, fire sprinkler systems (to reflect the current version of the code), photovoltaic roof systems, smoke ventilation operation, mezzanines, foundation anchorage, and several changes to Chapter 11 to ensure consistency with the proposed amendments to the 2015 International Energy Conservation Code. Chairman Richey asked if there was a motion to accept the 2015 IRC as amended; Mr. Jack Reid made the motion, which Mr. Gilchrist seconded. Chairman Richey called for discussion. Vice-Chairman Alan Boswell stated that he would like to remind the Board that they have an obligation to understand what they are voting on and to ask if they don't. Vice-Chairman Boswell brought up the changes to the Window Fall Protection section of the code, stating that most code officials consider this to be a life safety issue. He said that the language in the proposed amendment gives no guidelines for code officials to follow, and that he didn't see a need to make any changes to that section. Mr. Jack Reid called the question, and Chairman Richey called for a vote on the motion. The motion to accept the 2015 International Residential Code as amended for publication passed with 10 yays and 1 nay (Vice-Chairman Boswell).

Chairman Richey then called on Mr. Reid to present the Energy Subcommittee's recommendation regarding the 2015 International Energy Conservation Code. Mr. Reid said that the subcommittee voted to recommend the 2015 International Energy Conservation Code with amendments as presented to the Board. Chairman Richey called on Mr. Warren to review the proposed amendments, which include several administrative changes for clarification as well as adding two definitions; deleting sections referring to tropical zones; clarifying the equivalency of the spray foam R-value in relation to blown-in attic insulation R-value; replacing the attic access language with the language that was previously adopted by the Board; deleting sections related to perimeter insulation for slabs; inserting language allowing for an inspection gap for termite inspection as proposed by the pest control industry and previously discussed by the Board; mandatory parameters for insulation installation and testing protocols; deleting programmable thermostat requirements as well as sections related to pools and spas as was done in the previous code; clarifying language in sections 405 and 406; establishing an ERI of 70 and reinstating the trade-off of equipment efficiencies. Mr. Reid moved to accept the 2015 International Energy Conservation Code with amendments for residential use as presented, and Linda Snapp seconded the motion. Chairman Richey called for any discussion, and Vice-Chairman Boswell pointed out that the section about moving spray foam from R-20 to R-30 value to prescriptive, when it can already be done in the code with some trade-offs. Steve Roberson asked for clarification on how the equivalency was developed, and Chairman Richey

explained the formulas and calculations involved. Vice-Chairman Boswell pointed out that Alabama would be the only state that included something like this, and that putting the calculations into ResCheck without any kind of trade-off will prevent the house from passing. Mr. Reid called the question, and Chairman Richey called for a vote. Mark Nelson asked to clarify that this vote was just to begin the rulemaking process, and that there would still be opportunity for public comment, which was confirmed. The motion to accept the 2015 International Energy Conservation Code as amended for residential use for publication passed with 10 yays and 1 nay (Vice-Chairman Boswell).

Chairman Richey then addressed the Alabama Commercial Energy Code, and called on Mr. Warren for an update on the Alabama Building Commission since Randall Whorton, who has been working with the Commission, was unable to be in attendance. The Alabama Building Commission plans to adopt ASHRAE 90.1-2013 to become effective as of January 2016. The intent has always been to keep the Commercial Energy Code consistent with what the Alabama Building Commission is enforcing for the sake of designers and engineers. Ms. Snapp asked if the Building Commission had any amendments, which they did not. Vice-Chairman Boswell moved to accept ASHRAE 90.1-2013 as written for publication as the Alabama Commercial Energy Code. Ms. Snapp seconded the motion, which passed unanimously.

Chairman Richey called on Heather Goggin for an administrative update, including the timeline and the administrative process. Ms. Goggin explained that what was adopted today started the rulemaking process. The codes approved for publication today will be published in the July 31, 2015, Alabama Administrative Monthly, opening a 35 day public comment period. The Board will meet again in September to vote, taking public comment into consideration, and if there are any changes made, the codes will have to be republished for an additional public comment period. If there are no changes and the Board votes to adopt the codes as published, they would become administratively effective in early November. Ms. Goggin pointed out that the Board still needed to vote on actual effective dates for each of the proposed codes. Chairman Richey suggested looking at potential effective dates that allow time for appropriate training. He said that one date that had been mentioned for the Residential codes was January 1, 2017. Ms. Goggin stated that administratively, October 1, 2016, would be a better date because it's the beginning of the fiscal year and the date when nearly all state administrative functions roll over. Mr. Nelson clarified that the Board would have to vote on the dates to be included in the published notice, and Ashley Toole, ADECA's Assistant Attorney General, confirmed that a second vote could be combined with the previous votes for inclusion in the publication. Mr. Gilchrist moved to make the residential codes effective on October 1, 2016, and Ms. Snapp seconded the motion, which passed unanimously. Chairman Richey asked for recommendations for an effective date for blower door testing in the residential energy code, and Vice-Chairman Boswell recommended that it become effective when the code takes effect on October 1, 2016. Ms. Snapp moved that the mandatory blower door testing become effective on October 1, 2016, and Mr. Reid seconded the motion. The motion passed unanimously. Chairman Richey stated that the intent of the Commercial Energy Code was to concur with the Building Commission, which will become administratively effective on October 1, 2016. Because that date would not be administratively feasible, Mr. Reid moved that the Board adopt an effective

